

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT GONZALES,

Plaintiff,

v.

No. 12-cv-0466 MCA/SMV

STATE OF NM PRISONS, et al.,

Defendants.

THIRD ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte under 28 U.S.C. § 1915(e)(2) and rule 4 of the Federal Rules of Civil Procedure, on Plaintiff's civil rights complaint. Also before the Court are Plaintiff's two motions for service of process [Docs. 7, 10]. Plaintiff is incarcerated, appears pro se, and is proceeding in forma pauperis. Plaintiff has complied with the previous orders to show cause [Docs. 9, 11], which will be quashed. He will be required to identify individual Defendants for service of process.

The complaint alleges that unnamed correctional officers injured Plaintiff by using excessive force. Complaint [Doc. 1] at 2. The incident occurred at the "R.D.C." in Los Lunas, New Mexico, at 7:45 p.m. on February 22, 2012. *Id.* The complaint fails, however, to identify any of the responsible officers. *See generally*, Complaint [Doc. 1]. Plaintiff will be required to provide information necessary for serving process on Defendants, and his motions for service will be denied at this time. *Cf. Caldwell v. Martin*, Nos. 95-6101, 95-6381, 1996 WL 731253, at *1 (10th Cir. Dec. 20, 1996) (unpublished) (noting plaintiff's obligation to provide defendant's address); *and see Petersen v. Carbon County*, No. 98-4010, 1998 WL 458555, at *4 (10th Cir. Aug. 6, 1998)

(unpublished) (“[Defendant] was not timely served because [Plaintiff] had not provided his correct address”); *and see Olsen v. Mapes*, 333 F.3d 1199, 1205 (10th Cir. 2003) (noting requirement that Plaintiff cooperate with the Marshal on service of process). Failure to comply with this order may result in dismissal of Plaintiff’s complaint.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the previous orders to show cause [Docs. 9, 11] are **QUASHED**;

IT IS FURTHER ORDERED that Plaintiff’s motions for service [Docs. 7, 10] are **DENIED** at this time;

IT IS FURTHER ORDERED that, within thirty (30) days from entry of this order, Plaintiff file an amended complaint identifying the individuals—**by giving their full names**—who are allegedly responsible for the asserted violations, or otherwise respond showing cause why his claims should not be dismissed.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge